

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Kevin G. O'Connor
DOCKET NO.: 05-23595.001-R-1
PARCEL NO.: 17-07-116-052-1002

The parties of record before the Property Tax Appeal Board are Kevin G. O'Connor, the appellant, by attorney Patrick J. O'Connor, of Chicago; and the Cook County Board of Review.

The subject property consists of four-year-old, masonry, single-family condominium that contains approximately 2,000 square feet of living area and features three baths, one fireplace, a basement and air conditioning. The appellant contends unequal treatment in the assessment process as the basis of the appeal.

The appellant submitted assessment data and descriptions on four properties located within one block of the subject property; comparable number 1 is the same unit in the same building. The properties were four-year-old to eight-year-old, single-family residences of masonry construction. Each contained a fireplace, air conditioning, a basement and three baths. They ranged in size from approximately 2,000 to 2,100 square feet and had improvement assessments ranging from \$27,384 to \$29,686. The subject's improvement assessment is \$46,581. On the basis of this evidence, the appellant requested an assessment for the subject of \$29,639.

The appellant also submitted a graph of the subject and the comparables and their respective assessments. Sales prices are included. The subject sold for a price of \$400,000 in March, 2005, while the property directly next door, comparable 1, sold for a price of \$410,000 in April, 2005. The appellant further submitted a brief in support of the requested reduction and a settlement statement indicating that the subject was purchased for a price of \$400,000 in March, 2005.

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Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds a reduction in the assessment of the property as established by the Cook County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$ 2,150
IMPR.: \$ 29,639
TOTAL: \$ 31,789

Subject only to the State multiplier as applicable.

PTAB/mmg

The board of review submitted "Board of Review Notes on Appeal" wherein the subject's improvement assessment of \$37,849 was disclosed. In addition, the board presented a computation from a tax analyst with the board. That analysis was based upon a sales price and supported the current assessment. A number of PTAB cases were also provided; however there was no indication as to what the purpose of these attached cases was presented to prove. No other evidence was presented to support the assessment.

After reviewing the record and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal. The Board further finds that a reduction in the assessment of the subject property is warranted based on the evidence contained in the record. The Illinois Supreme Court has held that taxpayers who object to an assessment on the basis of lack of uniformity bear the burden of proving the disparity of assessment valuations by clear and convincing evidence. Kankakee County Board of Review v. Property Tax Appeal Board, 131 Ill.2d 1 (1989). The evidence must demonstrate a consistent pattern of assessment inequities within the assessment jurisdiction. In this appeal, there were a total of four comparable properties submitted by the parties, all of which were presented by the appellant. All of the properties were similar in construction, style, age and location to the subject property and had improvement assessments ranging from \$27,384 to \$29,686. The subject improvement is assessed at \$37,849 and is over assessed. The identical unit to the subject is assessed at \$29,639. The board did not present any evidence to rebut the appellant's equity argument.

Therefore, based on a review of the assessment comparables contained in the record, the Property Tax Appeal Board finds that the appellant has supported the contention of unequal treatment in the assessment process and a reduction in the assessment of the subject property is warranted.

This is a final administrative decision of the Property Tax Appeal Board which is subject to review in the Circuit Court or Appellate Court under the provisions of the Administrative Review Law (735 ILCS 5/3-101 et seq.) and section 16-195 of the Property Tax Code.



Chairman



Member



Member



Member



Member

DISSENTING: _____

C E R T I F I C A T I O N

As Clerk of the Illinois Property Tax Appeal Board and the keeper of the Records thereof, I do hereby certify that the foregoing is a true, full and complete Final Administrative Decision of the Illinois Property Tax Appeal Board issued this date in the above entitled appeal, now of record in this said office.

Date: January 25, 2008



Clerk of the Property Tax Appeal Board

IMPORTANT NOTICE

Section 16-185 of the Property Tax Code provides in part:

"If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel after the deadline for filing

complaints with the Board of Review or after adjournment of the session of the Board of Review at which assessments for the subsequent year are being considered, the taxpayer may, within 30 days after the date of written notice of the Property Tax Appeal Board's decision, appeal the assessment for the subsequent year directly to the Property Tax Appeal Board."

In order to comply with the above provision, YOU MUST FILE A PETITION AND EVIDENCE WITH THE PROPERTY TAX APPEAL BOARD WITHIN 30 DAYS OF THE DATE OF THE ENCLOSED DECISION IN ORDER TO APPEAL THE ASSESSMENT OF THE PROPERTY FOR THE SUBSEQUENT YEAR.

Based upon the issuance of a lowered assessment by the Property Tax Appeal Board, the refund of paid property taxes is the responsibility of your County Treasurer. Please contact that office with any questions you may have regarding the refund of paid property taxes.